

DETAILED ACTION

Claim Rejections - 35 USC § 102 and § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-3 stand rejected under 35 U.S.C. 102(b) as being clearly anticipated by Dibelius et al. (US 3,342,721), for reasons as of record.
3. Claim 4 stand rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Dibelius '721, for reasons as of record.

Response to Arguments

4. Applicant's arguments filed 17 September 2007 have been fully considered but they are not persuasive.

Applicant argues that "Dibelius discloses spraying not flowing" and "[t]he nozzles of Dibelius do not anticipate the flowing of the presently claimed method". Since the rejected claims 1-3 recite the step of flowing a liquid dielectric over a surface of a first electrode and since Dibelius discloses that a thin uniform film or curtain of liquid is

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generated by a fluid guide, as shown in Figs. 1-9, and is descending (flown downwardly) in contact with an electrode assembly, the rejection is maintained.

To the argument to the rejection of claim 4 that "[t]he nozzles of Dibelius do not anticipate, suggest or render obvious the flowing of the dielectric liquid as recited in the present claims", the rejection stands because Dibelius discloses that a thin uniform film or curtain of liquid is generated by a fluid guide, as shown in Figs. 1-9, and is descending (flown downwardly) in contact with an electrode assembly.

To the argument that "[t]he Office action does not object or reject Claims 5 or 6, but the cover page of the Office action erroneously lists Claims 5 and 6 as withdrawn in view of the restriction requirement in the previous Office action dated January 10, 2007", there is no erroneous in that Office action. In that Office action, Applicant is asked to "include an identification of the species that is elected in consonant with [the restriction] requirement" where the species are a gas, a particulate and a liquid, and subsequently in the response to restriction requirement dated 12 February 2007 "Applicant identifies the species disclosed on page 38, line 4 through page 42, line 23 of the specification. See also Figure 25 on sheet 19". Since Fig. 25 shows a gas, one of the species to be identified, enters at inlet 410, the examiner examines claim 25 with the identified gas species and leaves claim 5 with particulate species and claim 6 with liquid species as non-elected claims.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kishor Mayekar whose telephone number is (571) 272-1339. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam Nguyen can be reached on (571) 272-1342. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published

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applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kishor Mayekar/
Primary Examiner, Art Unit 1795